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Attorneys for Plaintiffs LINDA ZUÑIGA
and PETRABAX WEST, INC.

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

LINDA ZUÑIGA, an individual, and
PETRABAX WEST, INC., a
California corporation

Plaintiffs,

v.

TRABAX TURISMO S.L., a Spanish
limited liability entity,

Defendant.

CASE NO. 2:24-cv-04172 FMO (JPRx)

**ORDER ON STIPULATED
PERMANENT INJUNCTION AND
ORDER OF DISMISSAL**

COMPLAINT SERVED: JUNE 17, 2024
RESPONSE DATE: SEPTEMBER 6, 2024

1 This matter comes before the Court on the joint request of Plaintiffs Linda Zuniga
2 and Petrabax West, Inc. (“Plaintiffs”) and Defendant Trabax Turismo S.L. (“Defendant”)
3 (collectively, “the Parties”) for entry of this Permanent Injunction and Order of
4 Dismissal. The Court, having considered the agreement of the Parties, hereby ORDERS
5 as follows:

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7 **1. JURISDICTION**

8 This Court has jurisdiction over the parties and the subject matter of this action.
9 The Complaint states claims upon which relief may be granted against the
10 Defendant under the Lanham Act and related state statutes.

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12 **2. PARTIES BOUND**

13 This Permanent Injunction and Order of Dismissal applies to and is binding
14 upon the Parties and their officers, directors, agents, servants, employees,
15 successors, and assigns.

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17 **3. PERMANENT INJUNCTION**

18 Defendant and all persons in active concert or participation with Defendant are
19 hereby PERMANENTLY ENJOINED from:

- 20 a. In the United States, using or seeking to register the term TRABAX, or
21 any similar term, as a trademark, provided however, that Defendant may
22 use “TRABAX” only as part of a corporate name, including, but not
23 limited to, Trabax Turismo S.L., in its catalogs, brochures and
24 promotional materials, to identify a corporate entity and to state legal
25 terms and conditions.
- 26 b. Using the domain name TRABAX.COM, including not redirecting the
27 domain name in any way.
- 28

1 c. Objecting to, opposing, or otherwise challenging any registration and/or
2 use of PETRABAX, or any similar term, by the Plaintiffs, their licensees
3 or assigns, in the United States.

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5 4. DISMISSAL

6 Except for the Permanent Injunction contained herein, the action and claims
7 against Defendant are dismissed.

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9 5. RETENTION OF JURISDICTION

10 This Court retains jurisdiction of this matter for the purposes of enforcing or
11 modifying this Permanent Injunction and Order of Dismissal and the purpose of
12 granting such additional relief as may be necessary or appropriate.

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14 6. COSTS AND FEES

15 Each party shall bear its own costs and attorneys' fee in connection with the
16 entry of this Permanent Injunction and Order of Dismissal.

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18 7. MODIFICATION

19 This Permanent Injunction and Order of Dismissal may be modified by the
20 Court upon motion by either party for good cause shown.

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22 8. TERMINATION

23 This Permanent Injunction shall remain in effect indefinitely unless and until
24 modified by the Court.

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1 IT IS FURTHER ORDERED that this Order shall constitute a Final Judgment as to
2 all claims and parties in the above-captioned litigation, and as no further matters remain
3 pending shall be dismissed with prejudice.

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5 IT IS SO ORDERED.

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8 Dated: September 6, 2024

9 _____/s/_____
10 The Honorable Fernando M. Olguin
11 United States District Judge
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